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EXAMINER

OLANIRAN, FATIMAT O

ART UNIT

PAPER NUMBER

2614

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/798,939	Applicant(s) YAMASHITA ET AL.	
	Examiner FATIMAT O. OLANIRAN	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 4-8, 10 and 12-14 is/are allowed.
- 6) ☒ Claim(s) 1-3, 9, 11, 15-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 11/3/2009 with regards to claims 1, 3, 9, 11, 15 have been fully considered but they are not persuasive.

Cresci's explicitly discloses that the master-slave relationship restricts operation of other parameters other than the parameter selected by the user (col. 4 lines 30-33).

Furthermore the plurality of inputs of the mixer adjusted via the remote device reads on applicant's parameters and sub-set of parameters.

The rejection claims 1-3, 9, 11, 15 has been modified to address applicant's amendment.

Claim Objections

2. Claim 13 objected to because of the following informalities:

Claim 13 pg 7 of 14, line 12, "...the control unit..." lacks antecedent basis. Examiner interpretation, --the first control unit— as consistent with the rest of the claim language.

Appropriate correction is required.

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Allowable Subject Matter

3. Claims 4-8, 10, 12-14 allowed.

Reason for allowance independent claim 4, Examiner could not find prior art that teaches or provides a reason to combine Claim 4, "...assigning unit...assigning a parameter to the operating pieces based on the received authorization parameter information..."

Examiner could not find prior art that teaches or provides a reason to combine:

Claim 13, "...wherein the mixing unit a) receives the authorization parameters from the first control unit and b) restricts operating a function of the first control unit by the second control unit and in response to the authorization parameters, such that a user of the second control unit is restricted from applying control parameters that are not among said selected subset."

Claim 5-8,10,12, 14 are dependent claims.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-3, 9, 11, 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cresci et al (7245727) in view of McKinley Jr (4479240).

Claim 1, Cresci discloses sound control system (Fig. 2 abstract) comprising:

a mixing unit which applies a mixing process to sound signal and outputs to an output system (Fig. 2-3) and

a simple control unit comprising a console panel physically separate from said mixing unit and in data communication with said mixing unit (Fig. 2-3);

wherein the simple control unit includes a plurality of operating pieces (col. 3 line 61-67), and

an instruction transmitting unit which transmits an input calling instruction to the mixing unit when a calling instruction of a certain detailed setting information is input via any operating piece out of the plurality of operating pieces (Fig. 2 col. line 41-52 and col. 4 line 1-5), and

wherein the mixing unit and the mixing process are controlled by the respective parameters indicated in the certain detailed setting information (Fig. 2 col. line 41-52 and col. 4 line 1-5), wherein the mixing unit includes a receiving unit which receives the

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calling instruction of the certain detailed setting information from the simple control unit (Fig. 2) and a deciding unit that is responsive to authorization parameter identifying information which identifies a subset of respective parameters that the simple control unit is authorized to modify among the respective parameters indicated in the certain detailed setting information, and which restricts a user of the simple control unit from modifying respective parameters that are not among the subset of respective parameters (Fig. 2-3 and col. 4 line 5-33).

Cresci does not explicitly disclose the mixing unit applies a mixing process to a plurality of sound signals input from a plurality of input systems, and outputs resultant signals to a plurality of output systems; and

a storing device which stores plural sets of detailed setting information to indicate setting states of respective parameters associated with the mixing process;

McKinley discloses the mixing unit applies a mixing process to a plurality of sound signals input from a plurality of input systems, and outputs resultant signals to a plurality of output systems (Fig. 1); and

a storing device which stores plural sets of detailed setting information to indicate setting states of respective parameters associated with the mixing process (Fig. 3).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the mixer of Cresci with the plural input/output and storage of McKinley in order to provide a user with a versatile system and an improved mixer system as taught by McKinley (col. 3 lines 25-45).

Claim 2 analyzed with respect to claim 1, Cresci discloses wherein the authorization parameter identifying information is contained in detailed setting information (col. 4 line 18-33 and col. 8 lines 31-46).

Claim 3, analyzed with respect to claim 1-3, McKinley in view of Cresci discloses further comprising: an information generating device which generates the detailed setting information in response to an input operation, and stores generated detailed information in the storing device (McKinley; Fig. 3-4 and col. 5 lines 25-30).

Claim 9 analyzed with respect to claim 1, McKinley in view of Cresci disclose wherein the deciding unit acts on the authorization parameter identifying information which restricts in advance the parameters that can be set by the simple control unit (Cresci Fig. 2 col. 4 line 18-33).

Claim 11 analyzed with respect to claim 1, McKinley in view of Cresci disclose wherein the plural sets of detailed settings information are plural sets of predetermined detailed settings information (McKinley; Fig. 2-3 and col. 4 lines 58-68 and col. 5 lines 1-30).

Claim 15 analyzed with respect to claim 1, McKinley in view of Cresci discloses further comprising: identifying information for identifying a parameter that is authorized to change to be changed; an identifying information notifying unit for sending to the simple control unit the identifying information (Cresci Fig. 2 and col. 5 line 6-21) included in the detailed setting information identified by the calling instruction (McKinley Fig. 2-3 and col. 5 line 1-30); a receiving unit for receiving the identifying information from the identifying information notifying unit and a first operating piece for selecting one of the plural sets of detailed setting information stored in the storing unit;

second operating pieces which are associated with the respective parameters, and which input values of the parameters, respectively (McKinley Fig. 3-4 and col. 5 line 1-30 and Cresci Fig. 2) and a change notification sending unit (inherent to operation of Cresci Fig. 2 and col. 4 line 17-33 and col. 5 line 6-21) which sends to the mixing unit the parameter change notification which contains contents of the change when a type of the parameter

which has been changed coincides with a type of the parameter which is authorized to be changed by the identifying information at the time the parameter is changed by any one of the second operating pieces (Cresci Fig. 2 and col. 4 line 17-33 and col. 5 line 6-21).

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6. Claims 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over McKinley Jr (4479240) in view of Cresci et al (7245727).

Claim 16, McKinley discloses a sound control system comprising: a mixing unit including a control system which applies a mixing process to a plurality of sound signals input from a plurality of input systems based on instructions from said control system, and outputs resultant signals to a plurality of output systems (Fig. 1 and col. 3 line 25-42), the mixing process effecting changes in the resultant signals based on user-settable parameters (Fig. 3-4 col. 5 line 1-25), each parameter being variable over a predefined range; a storing device which stores a user-specified subset of the predefined range for at least one of said user-settable parameters (Fig. 3-4 and col. 5 line 25-30);

McKinley does not disclose and a simple control unit comprising a console panel physically separate from said mixing unit and in data communication with said mixing unit; wherein the simple control unit includes: a plurality of operating pieces, and an instruction transmitting unit which transmits an input calling instruction to the mixing unit when a calling instruction is input via any operating piece out of the plurality of operating pieces, the input calling instruction specifying a desired value for a given one of the user-settable parameters and wherein the mixing unit includes: a receiving unit which receives the calling instruction from the simple control unit, and a deciding unit that passes the desired value to the mixing unit if the desired value of the given parameter is within a user-specified subset associated with the given parameter and that does not pass the desired value to the mixing unit if the desired value is not within the user-specified subset.

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Cresci discloses a simple control unit comprising a console panel physically separate from said mixing unit and in data communication with said mixing unit (fig. 2-3); wherein the simple control unit includes: a plurality of operating pieces, and an instruction transmitting unit which transmits an input calling instruction to the mixing unit when a calling instruction is input via any operating piece out of the plurality of operating pieces (Fig. 2-3 and col. 3 line 60-67 and col. 4 line 17-33) , the input calling instruction specifying a desired value for a given one of the user-settable parameters (Fig. 2-3 and col. 2 line 38-51) and wherein the mixing unit includes: a receiving unit which receives the calling instruction from the simple control unit, and a deciding unit that passes the desired value to the mixing unit if the desired value of the given parameter is within a user-specified subset associated with the given parameter and that does not pass the desired value to the mixing unit if the desired value is not within the user-specified subset (Fig. 2-3 and col. 4 line 17-33 col. 6 line 53-62).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the mixer of McKinley with the mixer control of Cresci in order to provide a user with a convenient and versatile system.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to FATIMAT O. OLANIRAN whose telephone number is (571)270-3437. The examiner can normally be reached on M-F 10:00-6 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivian Chin can be reached on 571-272-7848. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

FO

/Vivian Chin/
Supervisory Patent Examiner, Art Unit 2614